

**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515**

March 22, 2019

The Honorable Kirstjen Nielsen  
U.S. Department of Homeland Security  
3801 Nebraska Ave NW  
Washington, DC 20528

The Honorable Ronald D. Vitello  
Deputy Director and Senior Official  
U.S. Immigration and Customs Enforcement  
Washington, DC 20528

Dear Secretary Nielsen and Deputy Director Ronald D. Vitiello;

We write to express our concerns with the Department of Homeland Security (DHS) detaining families in jail-like conditions at the Karnes Family Detention Center for over 20 days, some as many as 41 days. Detaining families and children is a practice that can cause irreparable harm and deeply contradicts our Nation's values. The majority of these vulnerable families are fleeing violence, persecution and even death, and they had to make the difficult decision to leave their home countries and make the treacherous and dangerous trek to seek safety in the U.S. As a result, some of these families and children need medical care and trauma services that cannot be effectively or adequately provided in detention or jail-like settings. In fact, the Congressional Hispanic Caucus has heard multiple reports of children that have fallen ill while in detention and in one case, a toddler tragically died from an illness caught in custody.

The detention of children is universally condemned. The United Nations notes in its Convention on the Rights of the Child<sup>1</sup> that child detention should be “used only as a measure of last resort and for the shortest appropriate period of time.” The American Academy of Pediatrics has stated even short stints of detention “cause psychological trauma and induce long-term mental health risks for children” and that “there is no evidence indicating that any time in detention is safe for children.”<sup>2</sup> Even DHS whistleblowers have said that the detention of migrant families “poses high risk of harm to children and their families”<sup>3</sup>. Even more, our own nation made an agreement, under the *Flores Settlement*, to not detain children for more than 20 days and only in “emergency” or “influx” shelters. We as a nation understood that children in our country should have limited exposure to any type of detention facility.

In fact, the Congressional Hispanic Caucus and many Members of Congress have called for the end of family detention for many years. There is no reason to detain families and children for weeks at a time<sup>4</sup>. Families can instead be released to live with friends and relatives as they navigate the asylum process and their children receive adequate care and education. Instead, these families are locked up at Karnes and are suffering every day.

We ask that DHS work quickly to release all eligible families and allow them to continue fighting their cases outside of detention. Further, we will continue investigating and requesting information to ensure that DHS is not violating *Flores* protections at Karnes and other detention facilities.

<sup>1</sup> <https://www.ohchr.org/en/professionalinterest/pages/crc.aspx>

<sup>2</sup> <https://pediatrics.aappublications.org/content/pediatrics/139/5/e20170483.full.pdf>

<sup>3</sup> <https://www.nytimes.com/2018/07/18/us/migrant-children-family-detention-doctors.html>

<sup>4</sup> <https://lofgren.house.gov/media/press-releases/178-house-democrats-dhs-end-family-detention-now>

We appreciate your attention to this important matter.

Sincerely,



Joaquin Castro  
CHC Chairman



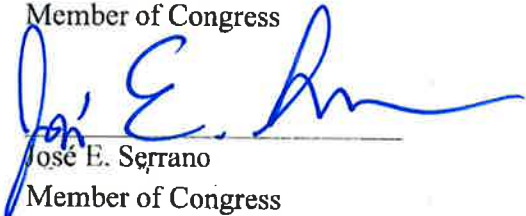
Adriano Espaillat  
CHC Whip



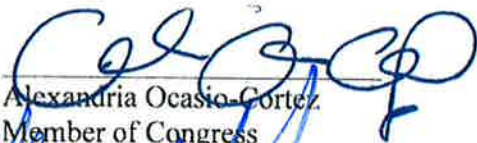
Vicente Gonzalez  
Member of Congress



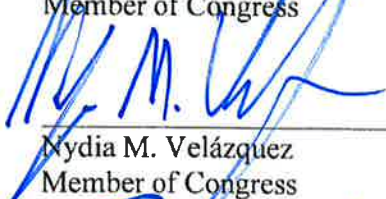
Jesús G. "Chuy" García.  
Member of Congress



José E. Serrano  
Member of Congress



Alexandria Ocasio-Cortez  
Member of Congress



Nydia M. Velázquez  
Member of Congress



Darren Soto  
Member of Congress



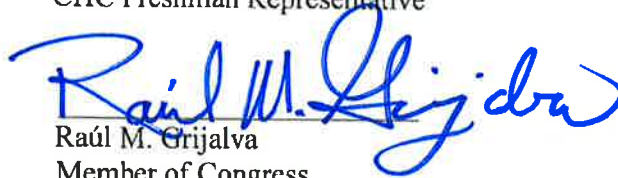
Grace F. Napolitano  
Member of Congress



Nanette Diaz Barragán  
CHC Second Vice-Chair



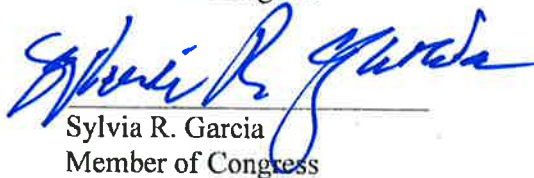
Veronica Escobar  
CHC Freshman Representative



Raúl M. Grijalva  
Member of Congress



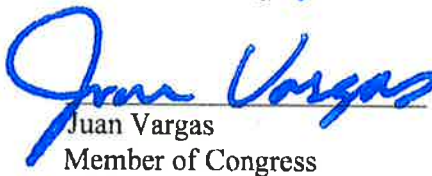
Debbie Mucarsel-Powell  
Member of Congress




Sylvia R. Garcia  
Member of Congress



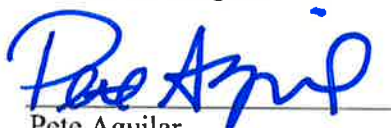
Norma J. Torres  
Member of Congress



Juan Vargas  
Member of Congress



Albio Sires  
Member of Congress



Pete Aguilar  
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